

REMARKS

Claims 1-44 are currently pending in the application. Claims 1-48 were rejected. Claims 1, 24, and 44 have been amended.

Again, Applicant respectfully thanks the examiner for his time in the telephone interviews on Jan. 9, 2003 and Oct. 17, 2003. In the interview on Jan. 9, 2003, the final office action by the examiner was discussed. The examiner agreed that in the Walker reference (6,113, 492), it is not clear where the player tracking software used to control the player tracking devices (e.g., display 162, keypad 164 and card reader 166) in the player tracking card reader 160 is executed.

In the interview on Oct. 17, 2003, it was discussed that one of ordinary skill in the art would interpret the device 160 as a player tracking hardware unit. Further, it was discussed that one of ordinary skill in the art would interpret that the device 160 includes a processor that executes player tracking software that allows the display 162, keypad 164 and card reader 166 to provide the functions of the player tracking hardware unit. In addition, it was discussed that a card reader 166 is not the same thing as a player tracking hardware unit because the card reader will not perform player tracking functions unless player tracking software is executed that tells the card reader how to function in the context of player tracking. Thus, it was discussed that if the teachings of Johnson (5, 149, 945) are applied to a player tracking hardware unit, then the microcontroller on the card reader is removed and the processor on the player tracking hardware unit that executes the player tracking software would also control some additional functions of the card reader. Nevertheless, a player tracking hardware unit with a processor that executes player tracking software to operate player tracking devices to provide player tracking functions of the player tracking hardware unit would remain.

Rejections under 35 U.S.C. § 112

The Examiner rejected claims 1-44 and 47-53 were rejected under 35 U.S.C. 112, first paragraph. In the telephone interview on Oct. 17, 2003, Examiner indicated that the limitation in claim 1 prior to amendment

"wherein the player tracking services are provided without a separate player tracking hardware unit, said player tracking hardware unit including 1) player tracking devices and 2) a processor, separate from the master gaming controller and connected to the player tracking devices, for executing player tracking software to operate the player tracking devices as the player tracking hardware unit;" was read to mean that the player tracking services were performed without

player tracking devices. Applicant and Examiner discussed that the player tracking devices are part of the player tracking unit.

Therefore, for clarification purposes, claims 1, 24 and 44 have been amended as “wherein the player tracking services are provided without a separate player tracking hardware unit, said player tracking hardware unit including 1) player tracking devices and 2) a processor, separate from the master gaming controller and connected to the player tracking devices, for executing player tracking software to operate the player tracking devices to provide the player tracking functions of the player tracking hardware unit;”

In FIG. 3 of the present invention, a gaming machine is shown “without a separate player tracking hardware unit, said player tracking hardware unit including 1) player tracking devices and 2) a processor, separate from the master gaming controller and connected to the player tracking devices, for executing player tracking software to operate the player tracking devices to provide the player tracking functions of the player tracking hardware unit.” Instead, a master gaming controller executes player tracking software to control physical devices to provide the player tracking functions of a player tracking unit. As shown in FIG. 3, the present invention eliminates the need for player tracking hardware unit with a separate processor that runs player tracking software as is shown in FIG. 1. Thus, Applicant believes the present invention as recited in claims 1-44 and 47-53 is enabled and the § 112 rejection is believed overcome thereby.

Rejections under 35 U.S.C. § 103

The examiner rejected claims 1, 2, 4, 6, 7, 11, 12, 15, 16, 18, 23, 24, 32, 34, 37-39, 41-44, 47-50 under 35 U.S.C. § 103(a) as being unpatentable over Walker, U.S Patent 6, 113, 492 in view of Johnson et al., U.S. Patent 5, 149, 945. The applicant respectfully traverses these rejections.

In the action of Sept. 30, 2003, Examiner states that the display, the keypad and card reader of FIG. 3 of the present invention constitute separate player tracking hardware units (Page 2) and the smart card reader system described by Johnson is equivalent to the player tracking system claimed by the applicant (Page 6, first paragraph). In the telephone interview of Oct. 17, it was discussed that a card reader by itself is not a player tracking hardware unit because additional player tracking software must be run to allow the card reader to operate properly within the context of player tracking. Applicant believes one in skill in the art would view Walker as teaching a processor on the player tracking unit connected to the card reader that executes the player tracking software that allows the card reader to behave properly within the context of player tracking. The box 160 around the devices in Walker and the player tracking

hardware unit being shown outside the gaming machine are part of the basis for this interpretation. Thus, if the teachings of Johnson are applied to the player tracking hardware unit in Walker, the functions of the microcontroller in the carder reader are transferred to the processor in the player tracking hardware unit and the microcontroller in the card reader is removed. However, a separate player tracking hardware unit where the player tracking hardware unit includes 1) player tracking devices and 2) a processor, separate from the master gaming controller and connected to the player tracking devices, for executing player tracking software to operate the player tracking devices to provide the player tracking functions of the player tracking hardware unit still remains in Walker. Walker or Johnson does not provide any suggestion or motivation for eliminating the processor in the player tracking hardware unit that executes the player tracking software. Therefore, for at least these reasons, Walker and Johnson, alone or in combination, can't be said to render obvious claims 1, 2, 4, 6, 7, 11, 12, 15, 16, 18, 23, 24, 32, 34, 37-39, 41-44, 47-50 and the rejection is believed overcome thereby.

Claims **5, 8, 35 and 40** are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in View of Johnson in further view of Acres 6,317, 852.

Examiner relies on Acres in regards to displays and progressive and bonus games. The combination of Walker, Johnson and Acres does not correct the deficiencies described with respect to the combination of Walker and Johnson above in regards to not teaching all of the limitations of the present invention. Therefore, for at least these reasons, Walker, Johnson and Acres, alone or in combination, can't be said to render obvious claims 5, 8, 35 and 40 and the rejection is believed overcome thereby.

Claims **9, 10 and 25-31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in View of Johnson in further view of Lichtman 5, 819,107.

Examiner relies on Lichtman in regards to software drivers and protocols. The combination of Walker, Johnson and Lichtman does not correct the deficiencies described with respect to the combination of Walker and Johnson above in regards to not teaching all of the limitations of the present invention. Therefore, for at least these reasons, Walker, Johnson and Lichtman, alone or in combination, can't be said to render obvious claims 9, 10 and 25-31 and the rejection is believed overcome thereby.

Claims **13 and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in View of Johnson in further view of Boushy 6, 183,362.

Examiner relies on Boushy in regards to networks. The combination of Walker, Johnson and Boushy does not correct the deficiencies described with respect to the combination of Walker and Johnson above in regards to not teaching all of the limitations of the present invention. Therefore, for at least these reasons, Walker, Johnson and Boushy, alone or in combination, can't be said to render obvious claims 13 and 14 and the rejection is believed overcome thereby.

Claims 17, 21, 22, 33 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in View of Johnson in further view of Acres 5,702,304.

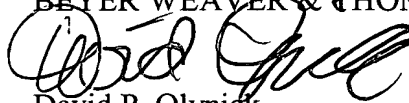
Acres teaches that the player tracking services are provided with a separate player tracking hardware unit, said player tracking unit including 1) player tracking devices and 2) a processor, separate from the master gaming controller and connected to the player tracking devices, for executing player tracking software to operate the player tracking devices as the player tracking hardware unit. Thus, Acres teaches away from the present invention rendering the combination improper. Further, the combination of Walker, Johnson and Acres does not correct the deficiencies described with respect to the combination of Walker and Johnson above in regards to not teaching all of the limitations of the present invention. Therefore, for at least these reasons, Walker, Johnson and Acres, alone or in combination, can't be said to render obvious claims 17, 21, 22, 33 and 36 and the rejection is believed overcome thereby.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in View of Johnson in further view of Pease (5,766,076) and Kelly (6,293,865).

Examiner relies on Pease and Kelly in regards to input devices. The combination of Walker, Johnson, Kelly and Pease does not correct the deficiencies described with respect to the combination of Walker and Johnson above in regards to not teaching all of the limitations of the present invention. Therefore, for at least these reasons, Walker, Johnson, Pease and Kelly, alone or in combination, can't be said to render obvious claims 20 and the rejection is believed overcome thereby.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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